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To: Examiner Junghwa M. IM

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From: Joseph M. Gorski

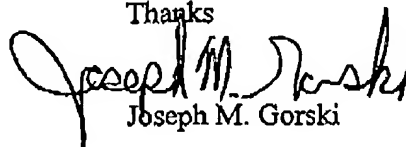
Date: September 28, 2005

Re: U.S. Application Serial No. 10/623,655/ Tomoji HAMADA/ 2003_0996A

TOTAL NUMBER OF PAGES TRANSMITTED, INCLUDING COVER SHEET: 4

Message: Please find provided herewith a copy of a Response filed on August 25, 2005, along with a PTO date-stamped postal receipt card. If you have any questions, please contact the undersigned attorney at the telephone number listed above.

Thanks


Joseph M. Gorski

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Due Date: August 25, 2005

ATTY DOCKET #: 2003_0996A

Confirmation No. 4745

OUR REF: 2003_0996A/JMG/00543

Applicant: Tomoji HAMADA

Serial No.: 10/623,655

Title: SEMICONDUCTOR APPARATUS

Filing Date: July 22, 2005



THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
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ACCOUNT NO. 23-0976

Receipt of the following papers is acknowledged:

1. Fee Transmittal Form (in duplicate)
2. Petition for a two month Extension of Time
3. Second Request for Reconsideration
4. Check in the amount of \$450.00

Check No. 69856

Attorney: JMG/edg

Date: August 25, 2005

SEP 28 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

In re application of : MAIL STOP: AF
Tomoji HAMADA : Confirmation No. 4745
Serial No. 10/623,655 : Docket No. 2003_0996A
Filed July 22, 2003 : Group Art Unit 2811
SEMICONDUCTOR APPARATUS : Examiner J. M. IM

SECOND REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
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ACCOUNT NO. 23-0975

Sir:

Responsive to the Final Office Action mailed March 25, 2005, and the Advisory Action mailed July 18, 2005, the time for responding thereto being extended for two months in accordance with a Petition for Extension submitted herewith, please consider the following remarks.

In the Advisory Action mailed July 18, 2005, the Examiner has taken the position that the plural electrodes required by claim 1 are taught by Hung et al., and accordingly, the 35 U.S.C. 102(b) rejection is maintained. Specifically, the Examiner expressed that conductive layer 216 of Hung et al. is shown in Figure 3 to be separated by a portion 234, which separates conductive layer 216 into two segments, one on the left hand side and one on the right hand side of Figure 3. Each of these segments is said to correspond to one electrode, whereby Hung et al. discloses the plural electrodes as required by claim 1. This position is respectfully traversed for the following reasons.

Waveguide structure 234 is merely an opening extending through the conductive layers 210-216 and dielectric layers 222-226. This is believed to be clear from the manner by which the waveguide structure is created as described in the paragraph bridging columns 4 and 5 of Hung et al. Specifically, the waveguide structure is said to be created by "punching" out the dielectric layers 222-226. Thus, the waveguide structure 234 does not extend across an entirety of any of the conductive layers, and accordingly, conductive layer 216 is not separated into two distinct segments each serving

as an electrode. Rather, conductive layer 216 remains a single layer, albeit one having an opening therethrough, and accordingly, while this conductive layer can arguably be said to correspond to a single electrode, it is respectfully submitted that this layer cannot reasonably be said to correspond to plural electrodes.

Furthermore, Figures 2 and 3 are cross sectional views of the circuit package shown in Figure 1. Accordingly, if waveguide structure 234 cut completely across conductive layer 216 so as to divide this layer into plural electrodes, then Figure 2 would not show conductive layer 216 to be continuous from the left hand side to the right hand side of this figure.

Thus, because Hung et al. does not teach or suggest the electrodes as required by claim 1, claim 1 is not anticipated by Hung et al. Karnezos does not resolve this deficiency of Hung et al., and accordingly, claim 1 is also not obvious over a combination of Hung et al. and Karnezos. Accordingly, claims 1-19 are allowable.

In view of the above remarks, it is respectfully submitted that the application is in condition for allowance, and an early Notice of Allowance is earnestly solicited.

If after reviewing these remarks, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicant's undersigned representative by telephone to resolve such issues.

Respectfully submitted,

Tomoji HAMADA

By: 

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August 25, 2005